

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Frank Ephfrom Ballard**

**Docket No. 7:96-CR-19-1BR**

**Petition for Action on Supervised Release**

COMES NOW David W. Leake, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Frank Ephfrom Ballard, who, upon an earlier plea of guilty to Conspiracy to Manufacture and Possess With Intent to Distribute Cocaine Base, 21 U.S.C. §§ 846 and 841(a)(1), was sentenced by the Honorable W. Earl Britt, Senior U.S. District Judge, on January 29, 1997, to the custody of the Bureau of Prisons for a term of 292 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months. Based upon a Retroactive Drug Quantity Reduction applied on May 1, 2013, the defendant's imprisonment term was reduced to 235 months.

Frank Ephfrom Ballard was released from custody on May 8, 2013, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

The defendant, age 75, is in full compliance with the terms of his release but due to health considerations is unable to maintain employment. Therefore, it is requested that the condition requiring him to either be employed or to submit written weekly employment reports be stricken.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The special condition which directs that the defendant shall submit a written weekly report to the probation office, if not regularly employed, of attempts to secure gainful employment is hereby stricken.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Robert L. Thornton

Robert L. Thornton  
Supervising U.S. Probation Officer

/s/ David W. Leake

David W. Leake  
U.S. Probation Officer  
2 Princess Street, Suite 308  
Wilmington, NC 28401-3958  
Phone: 910-679-2045  
Executed On: September 20, 2016

**ORDER OF THE COURT**

Considered and ordered this 27 day of September, 2016, and ordered filed and made a part of the records in the above case.

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W. Earl Britt  
Senior U.S. District Judge

A handwritten signature in green ink, appearing to read "W. Earl Britt", is written over a faint, larger signature in blue ink.